



US Army Corps  
of Engineers

# Construction Bulletin

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## CEMP-C

**Subject:** Construction Contractor Performance Evaluations

**Applicability:** GUIDANCE

1. REFERENCE: ER 415-1-17, Contractor Performance Evaluations.
2. PURPOSE: This Construction Bulletin rescinds CB# 94-17, dated 8/9/94 and provides new guidance on the referenced subject. The purpose of this Construction Bulletin is to provide the Major Subordinate Commands and all Districts an update on current changes which have been implemented regarding the construction contractor's performance evaluation. This bulletin is not intended to take precedence over **ER 415-1-17, CONTRACTOR PERFORMANCE EVALUATIONS**; however, it does provide new information concerning the use of the DD Form 2626 pending revision of the Engineering Regulation.
3. DOD has approved a new form for preparing Construction Contractor Performance Evaluations, the DD Form 2626. (Copy enclosed) This new form replaces the previous Standard Form 1420 as noted in DFARS 236.201. The new DD Form 2626 has been formally approved for use by Defense Acquisition Circular (DAC) #91-10.
4. The DD Form 2626 contains five (5) performance levels instead of the previously used three performance levels. It also contains a matrix that should be used for evaluation of the five performance elements which form the basis of the overall performance rating of the construction contractor. The matrix is intended to aid the evaluating official in arriving at a rating for the various performance elements (quality control, effectiveness of management, timely performance, compliance with labor standards, and compliance with safety standards.) Note that the "Remarks" paragraph is required to be completed when the contractor's performance evaluation is rated as unsatisfactory. Otherwise, this paragraph is optional.
5. Current guidance in ER 415-1-17 as it relates to job order contracts (JOC) is hereby amended to implement and clarify the requirements for preparing performance evaluations on all construction Indefinite Delivery contracts, including job order contracts. In the instance of Indefinite Delivery contracts, to include job order contracts (JOC's), the Contracting Officer or his representative must evaluate the contractor upon completion of each task order of \$500,000 or more and at the end of the base contract period

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(Regardless of contract value), and after completion of each succeeding option period. Each task order performance evaluation will be labeled as final, since each is a separate contractual action. Although the DD Form 2626 does not have a separate place to indicate the task order number, the electronic version of the DD Form 2626 program (Version 8.1) does and should include the task order number. Also, the task order number should be entered into Block 7 - Description and Location of Work. Each performance evaluation for an indefinite delivery contract option period must be identified as an option in the remarks area of the form. Also, the contracting officer may issue interim or final evaluations on any size task order, if circumstances warrant. All other construction contracts valued at \$100,000 and above still require a performance evaluation as noted in ER 415-1-17.

6. Final performance evaluations can be corrected, if warranted, to reflect changes in the evaluation of any of the performance elements as a result of performance or discovery of non-compliance occurring after execution of the final evaluation. Corrections to the performance evaluation report in the CCASS data base must be made in writing to CENPP-CT-AE; stating why a correction to the evaluation is necessary, and which elements need to be revised.

7. This Construction Bulletin has been coordinated with: Office of the Chief Counsel (CECC-C); Office of the Principal Assistant Responsible for Contracting (CEPR-ZA); and Operations, Construction and Readiness Division (CECW-OC).

Encl



CHARLES R. SCHROER  
Chief, Construction Division

# **PERFORMANCE EVALUATION (CONSTRUCTION)**

1. CONTRACT NUMBER

2. CEC NUMBER

**IMPORTANT:** Be sure to complete Part III - Evaluation of Performance Elements on reverse.

## **PART I - GENERAL CONTRACT DATA**

## 3. TYPE OF EVALUATION (X one)

☐ INTERIM (List percentage \_\_\_\_\_ %)☐ FINAL☐ AMENDED

## 4. TERMINATED FOR DEFAULT

## 5. CONTRACTOR (Name, Address, and ZIP Code)

## 6.a. PROCUREMENT METHOD (X one)

☐ SEALED BID☐ NEGOTIATED

## b. TYPE OF CONTRACT (X one)

☐ FIRM FIXED PRICE☐ COST REIMBURSEMENT☐ OTHER (Specify)

## 7. DESCRIPTION AND LOCATION OF WORK

## 8. TYPE AND PERCENT OF SUBCONTRACTING

## 9. FISCAL DATA

a. AMOUNT OF BASIC CONTRACT

\$

b. TOTAL AMOUNT OF MODIFICATIONS

\$

c. LIQUIDATED DAMAGES ASSESSED

\$

d. NET AMOUNT PAID CONTRACTOR

\$

## 10. SIGNIFICANT DATES

a. DATE OF AWARD

b. ORIGINAL CONTRACT COMPLETION DATE

c. REVISED CONTRACT COMPLETION DATE

d. DATE WORK ACCEPTED

## **PART II - PERFORMANCE EVALUATION OF CONTRACTOR**

## 11. OVERALL RATING (X appropriate block)

☐ OUTSTANDING☐ ABOVE AVERAGE☐ SATISFACTORY☐ MARGINAL☐ UNSATISFACTORY (Explain in Item 20 on reverse)

## 12. EVALUATED BY

a. ORGANIZATION (Name and Address (Include ZIP Code))

b. TELEPHONE NUMBER (Include Area Code)

c. NAME AND TITLE

d. SIGNATURE

e. DATE

## 13. EVALUATION REVIEWED BY

a. ORGANIZATION (Name and Address (Include ZIP Code))

b. TELEPHONE NUMBER (Include Area Code)

c. NAME AND TITLE

d. SIGNATURE

e. DATE

## 14. AGENCY USE (Distribution, etc.)

## PART III - EVALUATION OF PERFORMANCE ELEMENTS

N/A = NOT APPLICABLE O = OUTSTANDING A = ABOVE AVERAGE S = SATISFACTORY M = MARGINAL U = UNSATISFACTORY

15. QUALITY CONTROL								16. EFFECTIVENESS OF MANAGEMENT							
N/A	O	A	S	M	U	N/A	O	A	S	M	U				
a. QUALITY OF WORKMANSHIP						a. COOPERATION AND RESPONSIVENESS									
b. ADEQUACY OF THE CQC PLAN						b. MANAGEMENT OF RESOURCES/ PERSONNEL									
c. IMPLEMENTATION OF THE CQC PLAN						c. COORDINATION AND CONTROL OF SUBCONTRACTOR(S)									
d. QUALITY OF QC DOCUMENTATION						d. ADEQUACY OF SITE CLEAN-UP									
e. STORAGE OF MATERIALS						e. EFFECTIVENESS OF JOB-SITE SUPERVISION									
f. ADEQUACY OF MATERIALS						f. COMPLIANCE WITH LAWS AND REGULATIONS									
g. ADEQUACY OF SUBMITTALS						g. PROFESSIONAL CONDUCT									
h. ADEQUACY OF QC TESTING						h. REVIEW/RESOLUTION OF SUBCONTRACTOR'S ISSUES									
i. ADEQUACY OF AS-BUILTS						i. IMPLEMENTATION OF SUBCONTRACTING PLAN									
j. USE OF SPECIFIED MATERIALS															
k. IDENTIFICATION / CORRECTION OF DEFICIENT WORK IN A TIMELY MANNER															
17. TIMELY PERFORMANCE						18. COMPLIANCE WITH LABOR STANDARDS									
a. ADEQUACY OF INITIAL PROGRESS SCHEDULE						a. CORRECTION OF NOTED DEFICIENCIES									
b. ADHERENCE TO APPROVED SCHEDULE						b. PAYROLLS PROPERLY COMPLETED AND SUBMITTED									
c. RESOLUTION OF DELAYS						c. COMPLIANCE WITH LABOR LAWS AND REGULATIONS WITH SPECIFIC ATTENTION TO THE DAVIS-BACON ACT AND EEO REQUIREMENTS									
d. SUBMISSION OF REQUIRED DOCUMENTATION															
e. COMPLETION OF PUNCHLIST ITEMS						19. COMPLIANCE WITH SAFETY STANDARDS									
f. SUBMISSION OF UPDATED AND REVISED PROGRESS SCHEDULES						a. ADEQUACY OF SAFETY PLAN									
g. WARRANTY RESPONSE						b. IMPLEMENTATION OF SAFETY PLAN									
						c. CORRECTION OF NOTED DEFICIENCIES									

20. REMARKS (Explanation of unsatisfactory evaluation is required. Other comments are optional. Provide facts concerning specific events or actions to justify the evaluation. These data must be in sufficient detail to assist contracting officers in determining the contractor's responsibility. Continue on separate sheet(s), if needed.)